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RESPONSE UNDER 37 C.F.R. § 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 2877

OCT 0 4 2004

PATENT 5589-02305/P688-05

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Nikoonahad et al.

Serial No. 09/957,468

Filed: September 20, 2001

Fora

METHODS AND SYSTEMS FOR DETERMINING A CRITICAL DIMENSION, A PRESENCE OF DEFECTS, AND A THIN FILM

CHARACTERISTIC OF A SPECIMEN

Group Art Unit: 2877 Examiner: Pham, H.

Atty. Dkt. No. 5589-02305

I hereby certify that this correspondence is being transmitted via facsimite or deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

10-1-04

Camela Derk

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## RESPONSE AFTER FINAL REJECTION PURSUANT TO 37 C.F.R. § 1.116

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir/ Madam:

This paper is submitted in response to the Final Office Action mailed August 3, 2004, to further highlight reasons why the application is in condition for allowance. Applicant submits the present paper complies with the requirements of 37 C.F.R. § 1.116.

Remarks begin on page 2 of this paper.